

# INTERNATIONAL COOPERATION TREATY

## PCT

### INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>08-892370WO</b>	<b>FOR FURTHER ACTION</b>		see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.
International application No. <b>PCT/CA 03/00964</b>	International filing date (day/month/year) <b>27/06/2003</b>	(Earliest) Priority Date (day/month/year) <b>28/06/2002</b>	
Applicant <b>UNIVERSITY OF GUELPH</b>			

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 6 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

#### 1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☒ contained in the international application in written form.

☒ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☒ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☒ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ Certain claims were found unsearchable (See Box I).

3. ☒ Unity of invention is lacking (see Box II).

4. With regard to the title,

☐ the text is approved as submitted by the applicant.

☒ the text has been established by this Authority to read as follows:

**HARVEST-INDUCIBLE GENES FROM ALFAFA (MEDICAGO SATIVA) AND METHODS OF USE THEREOF**

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No.

☒ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

1  
☐ None of the figures.

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/CA 03/00964

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

1-26 (all partially)

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1 - 26 (all partially)

relating to a harvest-inducible cDNA (SEQ ID NO:1), the correspondig regulatory element (SEQ ID NO:4), a method for their isolation, vectors and plants containing said regulatory element and to methods for the production of heterologous proteins in plants employing said regulatory element.

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2. claims: 1 - 26 (all partially)

relating to a harvest-inducible cDNA (SEQ ID NO:2), the correspondig regulatory element (SEQ ID NO:5), methods for their isolation, vectors and plants containing said regulatory element and to methods for the production of heterologous proteins in plants employing said regulatory element.

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3. claims: 1 - 26 (all partially)

relating to a harvest-inducible cDNA (SEQ ID NO:3), the correspondig regulatory element (SEQ ID NO:6), methods for their isolation, vectors and plants containing said regulatory element and to methods for the production of heterologous proteins in plants employing said regulatory element.

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## INTERNATIONAL SEARCH REPORT

International Application No.

PCT/CA 03/00964

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7<sup>1</sup> A01H5/00 C12N15/82 C12N5/14 C12Q1/68

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A01H C12N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, EMBASE, CHEM ABS Data, Sequence Search, BIOSIS

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	FERULLO JEAN-MARC ET AL: "Post-harvest alteration of in vitro translatable mRNA population in alfalfa (Medicago sativa L.)" CROP SCIENCE, CROP SCIENCE SOCIETY OF AMERICA, MADISON, WI, US, vol. 36, no. 4, 1996, pages 1011-1016, XP002146910 ISSN: 0011-183X	1,2,4,5
Y	page 1016, column 1, paragraph 2 the whole document ----- -/--	3,6-26

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

## \* Special categories of cited documents:

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*&\* document member of the same patent family

Date of the actual completion of the international search

29 October 2003

Date of mailing of the international search report

16. 04. 04

Name and mailing address of the ISA

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# INTERNATIONAL SEARCH REPORT

International Publication No

PCT/CA 03/00964

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	MATZ M V ET AL: "Different strategies of differential display: Areas of application" NUCLEIC ACIDS RESEARCH, OXFORD UNIVERSITY PRESS, SURREY, GB, vol. 26, no. 24, 15 December 1998 (1998-12-15), pages 5537-5543, XP002245467 ISSN: 0305-1048 the whole document	1-26
Y	KUHN EKKEHARD: "From library screening to microarray technology: Strategies to determine gene expression profiles and to identify differentially regulated genes in plants" ANNALS OF BOTANY (LONDON), vol. 87, no. 2, February 2001 (2001-02), pages 139-155, XP002259520 ISSN: 0305-7364 page 146, column 2, last paragraph - page 147, column 1, paragraph 1	1-26
A	WO 01/073090 A (DIXON RICHARD A ;GUO DIANJING (US); SAMUEL ROBERTS NOBLE FOUNDATIO) 4 October 2001 (2001-10-04) cited in the application the whole document * especially Figure 6 and SEQ ID NO:1 *	1-26

### Information on patent family members

PCT/CA 03/00964

WO 0173090	A	04-10-2001	AU	4773101 A	08-10-2001
			CA	2404104 A1	04-10-2001
			WO	0173090 A2	04-10-2001

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 01/09398

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 9803535	A	29-01-1998	AU 716066 B2	17-02-2000
			AU 3733297 A	10-02-1998
			BR 9710871 A	17-08-1999
			CA 2260907 A1	29-01-1998
			EP 0932612 A1	04-08-1999
			WO 9803535 A1	29-01-1998
WO 9423044	A	13-10-1994	AU 6621194 A	24-10-1994
			WO 9423044 A1	13-10-1994
WO 9305160	A	18-03-1993	AU 663726 B2	19-10-1995
			AU 2516792 A	05-04-1993
			BR 9206481 A	31-10-1995
			EP 0603250 A1	29-06-1994
			WO 9305160 A1	18-03-1993
			JP 6510429 T	24-11-1994